



## ALCOHOL, OTHER DRUGS AND DRIVING

PLEASE NOTE: *Tennessee is serious about educating the public on the tragedies of driving under the influence of drugs or alcohol. To underscore this, by law at least 25% of the knowledge test drivers have to take must consist of questions dealing with this topic.*

### An Overview Of The Effects Of Alcohol

Before the motoring public can fully understand why drinking and driving result in fatalities on our highways, we first need a better understanding of the effects of alcohol on the body.

#### How Does Alcohol Affect the Body?

Alcohol begins to be absorbed into the bloodstream within one to two minutes after an alcoholic beverage is consumed. As you consume alcohol it accumulates in your blood. Intoxication occurs when you drink alcohol faster than the liver can oxidize it. As the percentage of alcohol in your blood increases, you become more intoxicated.

Once in the bloodstream, the alcohol is distributed to all parts of the body, including the brain and liver. Upon reaching the liver, the alcohol immediately begins to be oxidized. The liver can only oxidize about one drink per hour. Contrary to popular belief, this rate cannot be increased by drinking coffee, exercising, taking a cold shower, or anything else. **Only time can sober a person who's been drinking. And remember, it is a slow process.**

#### What Is Blood Alcohol Concentration (BAC)?

BAC stands for Blood Alcohol Concentration. BAC is expressed in percentage of alcohol to blood. The higher the BAC number, the more impaired a person is. In most states, including Tennessee, .10 is the level of intoxication which is always illegal. This means that for every 1,000 drops of blood in a person's body, there is at least one drop of alcohol. BAC changes with body weight, time spent drinking, and the amount of alcohol that is consumed.

**Amount of Alcohol Consumption.** Each drink consumed within an hour increases the BAC level. Therefore, the more you drink in a fixed amount of time, the higher your BAC will register. This happens no matter what you weigh — or what kind of alcoholic beverage you drink.

**Rate of Alcoholic Consumption.** Drinking three drinks in one hour will affect you more than drinking three drinks in three hours. Spacing your drinks over a longer period of time will slow the rate at which you become intoxicated and indicates responsible drinking habits.

**Body Weight and Fat.** The heavier the person, the more alcohol it takes to raise the BAC. Be aware of your size when drinking with others. If you are smaller than your friends and try to drink as much as they do, your judgment and inhibitions will probably be affected before your friends are.

Body fat also affects how quickly you are affected by alcohol. Alcohol is able to be absorbed in water, not fat. This simply means that those with less body fat have more water in which to dilute the alcohol. So, drink for drink, if people weigh the same, the one with more body fat will show signs of intoxication first.

**Amount of Food in the Stomach.** All the alcohol consumed eventually gets into the blood whether you have eaten or not. Food in the stomach causes alcohol to be absorbed more slowly, thus slowing down the rate, and the amount of intoxication.

**Overall Condition of the Body.** Heavy and chronic drinking can harm virtually every organ and system in the body. The liver is particularly vulnerable to alcohol's harmful effects since it oxidizes approximately 90 percent of the alcohol in the body. If the liver is damaged or diseased, the rate of oxidation is reduced, causing the alcohol to stay in the body longer and the BAC to be higher for a longer time. Further, the effects of alcohol on the liver can lead to such diseases as hepatitis and cirrhosis.

### Drinking And Driving

#### Relationship of Alcohol To Traffic Crashes and Accident Risks

Driving after drinking is a widespread problem. It is estimated that two in every five Americans will be involved in an alcohol-related crash at some time in their lives.

Each drink drastically increases your risk of having an accident. Look at the table below. With a BAC of .10%, you are **seven** times more likely to cause an accident than if you were sober. As your BAC increases to .15%, your chances increase to **twenty-five** times and at .17% BAC, you are **fifty** times more likely to cause an accident.

Behavior at each BAC level may differ somewhat with the individual. ALL people at the .10% level are definitely too impaired to drive safely. **Research has proven driving skills, good judgment and vision are greatly impaired at BAC levels as low as .03 and .04%, especially for young drinkers.** The table, **Alcohol's Effects at a Glance** (next page), describes different levels of intoxication and degree of behavior impairment at each level.

## Alcohol's Effects At A Glance

BAC	Rough Number of Drinks	Risk of Automobile Crash	Comment
.01-.03%	◇ 1 drink within 15 min.	Rises for young adults, others with low tolerance for alcohol	Stiff penalties for BAC as low as .02 if driver under age 21
.04-.06%	◇ 2 drinks within 1/2 hour	Definite risk for anyone with low tolerance levels	Most people feel high and have some loss of judgment. You may get louder and have some loss of small muscle control, like focusing your eyes.
.07-.09%	◇ 3 drinks within 1 hour		Your sight and hearing are worse. It is harder for you to detect danger. You have less sense of balance
.10%-above <b>LEGAL INTOXICATION*</b> — Judgment and reasoning powers are severely hampered; cannot do common simple acts. <b>Definitely unsafe to drive.</b>			
.10-.12%	◇ 4 drinks within 2 hours	Risk of automobile crash increases 7 times normal rate	Many people claim they're not affected anymore, as if they could drink themselves sober — definitely not thinking straight.
.13-.15%	◇ 5-7 drinks within 3 hours	Crash risk 25 times normal rate	You have far less muscle control than normal and feel happy even though stumbling and acting foolishly.
.16-.25%	◇ 8-12 drinks within 4 hours	Crash risk 50 times normal rate	You are confused and need help doing things, even standing up. Alcohol-related highway fatalities sharply increase.

\*Lower levels are set for younger drivers, commercial drivers, and subsequent offenses, as discussed later in this chapter.

### Alcohol's Effects On Driving Ability

Driving involves multiple tasks, the demands of which can change continually. To drive safely one must maintain alertness, make decisions based on ever-changing information present in the environment, and execute maneuvers based on these decisions. Drinking alcohol impairs a wide range of skills necessary for carrying out these tasks. Fatal injuries resulting from alcohol-related traffic crashes represent a tremendous loss of human life.

The plain and simple fact is that you cannot drive safely when you are impaired by alcohol. The two abilities most important to the driving task are **judgment** and **vision** — both of which are affected by small amounts of alcohol. Your ability to judge speed, time, and distance are altered even after having only one drink. Each drink thereafter markedly affects your driving ability. In addition, your **reaction time** and **coordination** begin to deteriorate, while your **alertness** and **concentration** fade. All of this adds up to a deadly combination.

**Judgment** — *Ability to think clearly and make quick decisions*

Good judgment decreases with the use of alcohol. The concern for physical well being is lessened. This causes unnecessary and dangerous risks to be taken when drinking and driving. Examples are driving too fast, passing cars without enough clear distance and speeding around curves. "Showing off" is another example of impaired judgment.

**Vision** — *Ability to see clearly straight ahead, to the side, and at night*

Alcohol decreases clearness of vision. Seeing clearly at night is reduced by more than half. Glare vision is poor because of relaxed eye muscles. Glare recovery is also slowed by alcohol. Side vision is reduced by about 30% at .05% BAC. Judging depth or distance is affected because alcohol causes each eye to get a slightly different picture. These vision impairments greatly increase chances of a head-on or rear-end collision.

**Reaction Time and Coordination** — *Ability to react quickly and safely to an emergency or hazardous situation — being able to keep eyes, hands and feet working together*

Reaction and coordination are impaired by alcohol as low as .02% BAC. It takes longer to react. The skills necessary to drive safely, coordination to control the car with hands, feet and eyes in response to other vehicles and the road are drastically reduced as alcohol intake increases.

**Alertness and Concentration** — *Being ready to react to changing driving conditions or situations — keeping your mind on driving and paying attention to the task at hand*

Alcohol, in any concentration, is a depressant, not a stimulant. Alcohol slows all nerve impulses and body functions. The false feeling of stimulation, with small doses, comes from lessening of inhibitions due to the particular portion of the brain controlling this part of behavior being relaxed. In reality, alcohol has the effect of "fuzzing" a driver's ability to be alert and to concentrate.

## “Every Day” Drugs

One of the most common and most dangerous instances of drug abuse occurs when people mix alcohol with prescription and over-the-counter drugs. For example, when alcohol is combined with another depressant, like tranquilizers or sedatives, etc. the results are not just added together, they are multiplied. Even some over-the-counter medicines can affect driving. The effects are much stronger, much more dangerous and can affect your driving skills.

If your doctor prescribes a tranquilizer or sedative, make a point to discuss how the drug will affect your ability to drive safely. Just because a drug is prescribed is — by law — no defense for driving under the influence of it.

Non-prescription drugs, such as cold tablets, cough syrups, allergy remedies, etc., purchased over-the-counter may contain antihistamines, alcohol, codeine, and other compounds that can be especially dangerous for drivers. You should read labels and pay attention to warnings (e.g. “may cause drowsiness,” “do not operate machinery,” “caution against engaging in operations requiring alertness”).

Again, if you have questions about a particular drug or combination of drugs, check with your doctor or pharmacist.

## Driving Under The Influence Of Drugs Or Alcohol (The “DUI” Law)

Studies indicate that marijuana and other drugs also affect judgment and motor functions, making driving under the influence of drugs other than alcohol **dangerous**. In Tennessee it is unlawful for any person to drive or be in physical control of an automobile or other motor-driven vehicle on any public street, highway, road, or alley, or while on the premises of any shopping center, trailer park or any apartment house complex, or any place frequented by the public while


1. under the influence of any intoxicant, marijuana, narcotic drug, or drugs producing stimulating effects on the central nervous system; or
2. while the alcohol concentration of the operator’s blood or breath is .10% or higher.

It is not only unlawful if the alcohol concentration of a person’s blood or breath is **.10%**, but also for first convictions, there is a presumption that the defendant’s ability to drive is sufficiently impaired to constitute a DUI violation. On second or subsequent offenses, a BAC of **.08%** would create the presumption of intoxication.

Strictly speaking, a driver can register a BAC of **.00%** and still be convicted of a DUI. The level of BAC does not clear a driver when it is below the “presumed level of intoxication.” If a law enforcement officer observes such things as erratic driving behavior, or maintaining an inappropriate speed (too fast or too slow), this would be cause for stopping the vehicle to investigate. Further sobriety checks could lead to the conclusion that the driver was indeed “Driving Under the Influence” of an intoxicant, narcotic drug,

or other drug-producing stimulating effects on the central nervous system including prescription drugs. If you have any doubt about your ability to drive, don’t get behind the wheel.

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**NOT IN MY STATE**

## Implied Consent Law

By law, when you drive in Tennessee you have given your consent to be tested to determine the alcohol or drug content of your blood. This test must be administered at the request of a law enforcement officer having reasonable grounds to believe you have been driving under the influence of an intoxicant or drug.

If you are placed under arrest and a law enforcement officer asks you to take the test and you refuse, the test will not be given. The court will send notification of action to the Department of Safety and your driver license will be suspended for twelve (12) months.

## Consequences Of DUI Arrest

Drinking and driving poses several problems. One is the probability of an accident and another is being arrested for DUI. If you are arrested for DUI, the consequences can be severe.

## Penalties Applying To Any DUI Conviction

Regardless of whether the conviction for driving under the influence is a driver’s first or not, several other laws apply:

## Minimum DUI Penalties

	Minimum Jail Time	Minimum Fines/ Revocation Period	Vehicle Seizure
<b>FIRST CONVICTION</b>	48 hours	\$350.00/ One (1) year	Does not apply
<b>SECOND CONVICTION</b>	45 days	\$600.00/ Two (2) years	If your second violation occurs within five years of your first DUI conviction, and both events happened after January, 1997, your vehicle is subject to seizure and forfeiture.
<b>THIRD OR SUBSEQUENT CONVICTION</b>	120 days	\$1,100.00/ Three (3) years – Ten (10) max.	Vehicle is also subject to seizure and forfeiture.

- **ID'S With "DUI Offender."** If a person with a license revoked for DUI applies for a photo identification license to carry during the period before his or her license can be restored, the department is required to indicate on the ID that the person is a DUI offender.
- **Seizure of Vehicle.** Beginning January 1997, if a person's driving privileges are revoked for DUI, and he or she is charged with driving on a revoked license, the driver's vehicle can be seized and forfeited. This holds true for any DUI conviction, whether it is the driver's first or not.
- **Vehicular Homicide.** If you are operating a motor vehicle under the influence of a drug or alcohol and you are involved in an accident that results in the death of another person(s), you may be charged with vehicular homicide and if convicted, **you may be fined and sentenced to prison.** These laws have recently been strengthened so that it is possible to be imprisoned for **up to 60 years.**
- **Aggravated Assault** — If you are operating a vehicle under the influence of a drug or alcohol and you are involved in a motor vehicle accident that results in the injury of another person you may be charged with aggravated assault and if convicted, **you may be fined and sentenced to prison.**
- **Child Endangerment** — Known as the Drunk Driving Child Protection Act, this law adds penalties for those who violate DUI laws when accompanied by a child under thirteen (13) years of age. There is a mandatory minimum incarceration of thirty days and a mandatory minimum fine of \$1,000, both of which are added onto any other incarceration and fine required by law.

If the child suffers serious bodily injury, the violation is a Class D felony, and if the child actually dies, it is a Class C

felony of especially aggravated child endangerment.

### Additional DUI Penalties

In addition to the minimum penalties, the judge shall impose the following conditions:

- Participation in an alcohol safety DUI school program, if available; or
- Upon the second or subsequent conviction, participation in a program of rehabilitation at a treatment facility, if available; and
- The payment of restitution to any person suffering physical injury or personal losses as the result of such offense if such person is economically capable of making such restitution.

Courts may also, at their discretion, order the person to operate only a motor vehicle which is equipped with a functioning **ignition interlock device**, and may order this restriction to continue for a period of time up to one year after the person's license is no longer suspended or restricted under normal provisions.

### DUI's Are Expensive!

Besides being extremely dangerous and against the law, DUI's are costly. In addition to the fine and court costs, a person charged with DUI can be faced with posting bond to get released from jail, attorney fees, loss of time from work to attend court hearing(s), fees for an alcohol safety course, increased insurance premiums, and other expenses. This can add up to several thousand dollars.

### Young Driver Risks And Laws

#### Not Just Driving — Riding With Others!

Young people remain especially vulnerable to the threat of alcohol and other drugs, not only from impairment of their own driving, but from getting in the car with other drivers

who are not sober. TRAFFIC CRASHES ARE THE LEADING KILLER OF YOUNG PEOPLE, AND NEARLY HALF ARE ALCOHOL RELATED. In a national survey, nearly half of 10th graders and a third of 8th graders reported having ridden during the past month with a driver who had used alcohol or other drugs before taking the wheel.

Accident records indicate that young drivers under the influence of small amounts of alcohol appear to have more driving problems than older drivers. Most teenagers are intoxicated at low BAC levels. The young driver's chance of an accident is much greater with BAC between .01-.09% than older drivers. This is due to low tolerance of alcohol and driving experience.

***The decision is yours. Be responsible and smart — help yourself and your friends!***

**REMEMBER, DRIVING WHILE UNDER THE INFLUENCE OF DRUGS — EVEN PRESCRIPTION DRUGS — CARRIES THE SAME PENALTIES AS FOR ALCOHOL.**

### Under Twenty-One Laws

In addition to the standard penalties for driving under the influence of drugs or alcohol discussed in the next section, there are three special laws that apply to people under the age of twenty-one:

- **“18-20 Alcohol Violations”** — If you are 18, 19, or 20 years old and are convicted of purchasing, attempting to purchase, or possessing any alcoholic beverage, you will lose your privilege to drive for one year. If it happens again, you will lose your license for two years. The law applies to *any* alcohol-related conviction, whether or not you were driving or even in a vehicle. Just having a can of beer at a party could cost you your driver license.
- **“Juvenile Offenders”** — If you are between the ages of 13 and 17 and found to have possessed, consumed, or sold either alcohol or drugs, your driving privilege will be suspended for one year or until age 17, whichever is longer. Even if you have never been licensed, you could lose your privilege to drive until you reach age 17. If you have a second conviction, the suspension is for two years or until age 18, whichever is longer.
- **“Under 21 BAC”** — A person age 16 or over but under the age of 21 who is found driving with a BAC of .02%, or under the influence of alcohol or any other drugs, commits the act of driving while impaired. Penalties include losing your license for one year, a fine of \$250, and public service work.

### Prevention Of Drinking And Driving

The best advice, of course, is simply to not drink when you know you are going to drive. One of the most successful

programs in recent years has been the “designated driver” concept, where friends agree ahead of time which person will remain strictly sober. Many night clubs will offer the designated driver free non-alcoholic beverages for the evening. Young people who do not want to drink in the first place are finding it more socially acceptable to offer to be the designated driver.

### If You Choose To Drink

If you choose to drink alcoholic beverages you should control your drinking to stay within your limit. Drinking in a responsible and mature manner means that you are aware of your physical and mental condition. You also:

- Set a limit in advance and stick to it
- Drink at a slow pace
- Watch for signs of impairment
- Use time to get rid of alcohol

If despite your best intentions you realize you have had too much to drink, consider using public transportation to get home. Taking a cab could be a lot cheaper than paying a fine or losing your driver license! Beyond taking a cab, you could:

- Offer the keys to a non-drinking friend
- Stay over night at the party giver's home or a hotel within walking distance
- Call a parent or friend to pick you up and take you home

### If You Are the Host

You assume a great amount of responsibility when you entertain your friends at home and serve alcoholic beverages. To help prevent the consequences of drinking and driving, you should do the following during the party:

- Encourage some of the guests to be designated drivers
- Serve food, such as cheese and crackers
- Always offer non-alcoholic drinks
- Do not mix strong drinks or be in a hurry to refill glasses
- Close the bar at least two hours before guests depart
- Do not serve additional drinks to a guest who has had too many!

### Did You Know?

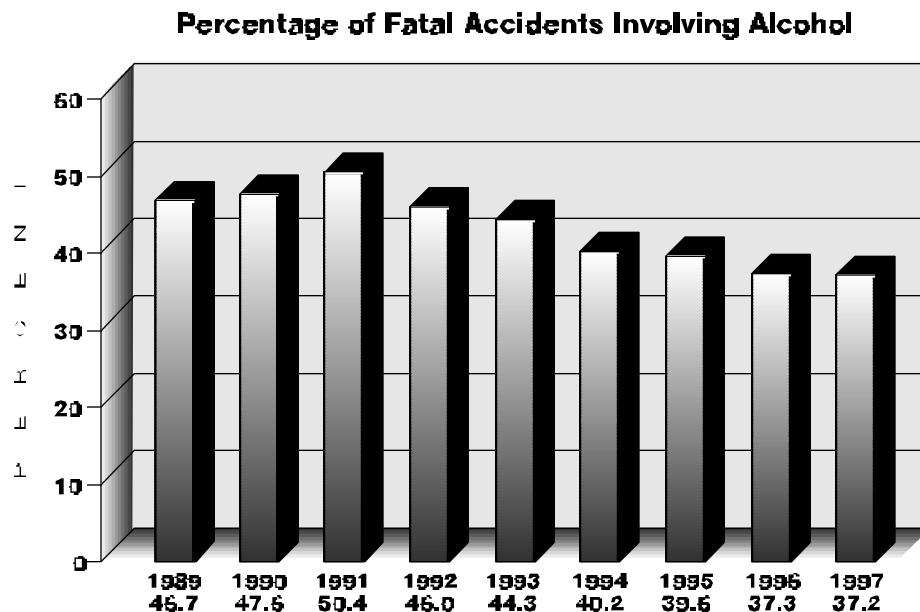
1. Alcohol, in any concentration, is a depressant not a stimulant. Alcohol slows all nerve impulses and body functions. The false feeling of stimulation, with small doses, comes from lessening of inhibitions due to the particular portion of the brain controlling this part of behavior being relaxed.
2. The amount of alcohol in one (12 oz.) bottle of beer is about equal to that in a (1 oz.) shot of whiskey.

3. When alcohol is consumed, it quickly reaches the brain where it, in effect, short-circuits the parts that control judgment, emotions and confidence.
4. The first thing affected after drinking alcohol is a person's **judgment**.
5. Reliable research studies show that 2 or 3 drinks of alcohol impair the driving ability of most individuals.
6. A driver with a BAC of .10% or more is intoxicated (in the presumptive level).
7. It takes about one hour to cancel the effects of one drink. It takes about 3 hours to cancel the intoxicating effects of 3 drinks.
8. Alcohol-related vehicle accidents are the number-one killer of people under the age of 40.

9. Many drugs, including the "miracle" drugs, can impair your ability to drive. They can make an ill person feel well enough to drive, but can also affect alertness, judgment, coordination and vision.
10. The combined use of alcohol and other depressant drugs, such as antihistamines, may be more dangerous to health and highway safety than the effects of either the alcohol or drugs alone.

### **We Are Doing Better**

Over the past few years, Tennessee has seen a progressive decrease in the percentage of fatal accidents involving alcohol. Prior to 1990 it was common for half of all fatal accidents to involve alcohol. Since then there has been a steady decline, so that in 1997 (the most recent year for which these data are available), the percentage has dropped to 37%.



**Let's Keep This Up!**

**NOTE:** This chapter was written in consultation with the Tennessee Statewide Clearinghouse for Alcohol, Tobacco & Other Drug Information and Referral.

For further information on the general subject of drug and alcohol use and abuse, or for referrals for help with such problems, they may be reached at their toll-free "Redline" at 1-800-889-9789. Or, check their Website: [www.public.usit.net/tncrhse](http://www.public.usit.net/tncrhse).